

REMARKS

Reconsideration of this application is respectfully requested in view of the foregoing amendments and the following remarks.

By the foregoing amendment, claims 1, 18 and 63 have been amended, and new claims 107-109 have been added. Claims 32-62 and 64-106 have been withdrawn from consideration. Thus, claims 1-31, 63 and 107-109 are currently pending in the application and subject to examination.

Claims 1-31 and 63 are pending this application. In the Office Action mailed January 12, 2007, claims 1-2, 7-8, 10-13, 18-19, 22-24, 26-29, and 63 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,093,718 to Hoarty et al. ("Hoarty") in view of U.S. Patent No. 5,506,902 to Kubota ("Kubota") in further view of U.S. Patent No. 5,624,265 to Redford et al. ("Redford"). Also under 35 U.S.C. § 103(a), claim 3 was rejected as being unpatentable over Hoarty in view of Kubota, in view of Redford in further view of U.S. Patent no. 5,210,611 to Yee et al. ("Yee"); claims 4-5 and 20-21 were rejected as being unpatentable over Hoarty in view of Kubota, in view of Redford in further view of U.S. Patent No. 5,632,022 to Warren et al. ("Warren"); claim 6 was rejected as being unpatentable over Hoarty in view of Kubota in view of Redford in further view of U.S. Patent No. 4,361,848 to Poignet et al. ("Poignet"); and claims 9, 14-17, 25, and 30-31 were rejected as being unpatentable over Hoarty in view of Kubota in view of Redford in further view of U.S. Patent No. 5,475,399 to Borsuk ("Borsuk"). It is noted that claims 1, 18 and 63 have been amended. To the extent that the rejections remain applicable to the claims currently pending, the Applicants hereby traverse the rejections, as follows.

Independent Claims 1 and 63

Claims 1 and 63 are directed to a system for transmitting and receiving text, and displaying an indication of the text, wherein the text is transmitted in an electronic signal. Claims 1 and 63, as amended, include, among other features, the features of a means for associating subscriber-created data with individual electronic books located in the collection of electronic books; a menu generator that determines whether to generate a menu of the books located in the collection based on at least one of a menu based on a subscriber entered selection and a default menu; and a display, connected to the connector, that displays a particular library menu of books relating to the determination of the menu generator, and displays the subscriber-created data associated with each of the books included in the particular library menu.

The Applicants respectfully submit none of the applied art of record, nor combination thereof, discloses or suggests at least the combination of a means for associating subscriber-created data with individual electronic books located in the collection of electronic books; a menu generator that determines whether to generate a menu of the books located in the collection based on at least one of a menu based on a subscriber entered selection and a default menu; and a display, connected to the connector, that displays a particular library menu of books relating to the determination of the menu generator, and displays the subscriber-created data associated with each of the books included in the particular library menu, as recited in claims 1 and 63, as amended.

For at least this reason, the Applicants submit that claims 1 and 63 are allowable over the applied art of record. As claim 1 is allowable, the Applicants submit that claims

2-17, which depend from allowable claim 1, are likewise allowable for at least the reasons set forth above with respect to claim 1.

Independent Claim 18

Claim 18 is directed to a method for distributing text material in textual data form using an electronic signal and a transmission medium. Claim 18, as amended, includes, among other steps, the steps of associating subscriber-created data with individual electronic books located in the electronic collection; determining whether to generate a menu of the books located in the electronic collection based on at least one of a subscriber entered selection or a default menu; and displaying a particular library menu relating to the determination along with the subscriber-created data associated with each of the books included in the particular library menu.

The Applicants respectfully submit that none of the applied art of record, nor any combination thereof, discloses or suggests at least the combination of associating subscriber-created data with individual electronic books located in the electronic collection; determining whether to generate a menu of the books located in the electronic collection based on at least one of a subscriber entered selection or a default menu; and displaying a particular library menu relating to the determination along with the subscriber-created data associated with each of the books included in the particular library menu, as recited in independent claim 18, as amended.

For at least this reason, the Applicants submit that independent claim 18, as amended, is allowable over the applied art of record. As claim 18 is allowable, the Applicants submit that claims 19-31, which depend from allowable claim 18, are likewise allowable for at least the reasons set forth above with respect to claim 18.

New claims 107-109

The Applicants submit that new claim 107 is allowable over the applied art of record at least because none of the applied art of record, nor combination thereof, discloses or suggests at least the combination of a menu generator that determines whether to generate a menu of the books located in the collection according to a subscriber-entered criteria or a subscriber-created criteria; and a display, connected to the connector, that displays a particular library menu relating to the determination of the menu generator, as recited in new claim 107.

The Applicants submit that new claim 108 is allowable over the applied art of record at least because none of the applied art of record, nor combination thereof, discloses or suggests at least the combination of determining whether to generate a menu of the books located in the electronic collection according to a subscriber-entered criteria or a subscriber-created criteria; displaying a particular library menu relating to the determination; and receiving a subscriber entry indicating a title of an electronic book, wherein the title correlates to a portion of the textual data, as recited in new claim 108.

Similarly to as explained above with respect to claims 107 and 108, the Applicants submit that new claim 109 is allowable over the applied art of record at least because none of the applied art of record, nor combination thereof, discloses or suggests at least the combination of means, connected to the storing means, for determining whether to generate a menu of the textual data located in the electronic collection according to a subscriber-entered criteria or a subscriber-created criteria; and means, connected to the receiving means, for displaying a particular library menu

relating to the textual data and based upon the determination, as recited in new claim 109.

CONCLUSION


For all of the above reasons, it is respectfully submitted that the claims now pending patentability distinguish the present invention from the cited references. Accordingly, reconsideration and withdrawal of the outstanding rejections and an issuance of a Notice of Allowance are earnestly solicited.

Should the Examiner determine that any further action is necessary to place this application into better form, the Examiner is encouraged to telephone the undersigned representative at the number listed below.

In the event this paper is not considered to be timely filed, the Applicants hereby petition for an appropriate extension of time. The Commissioner is hereby authorized to charge any fee deficiency or credit any overpayment associated with this communication to Deposit Account No. 01-2300 with reference to Attorney Docket No. 026880-00013.

Respectfully submitted,

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Enclosures Petition for extension of Time